

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

HEADWATER RESEARCH LLC

Plaintiff,

v.

SAMSUNG ELECTRONIC CO., LTD and
SAMSUNG ELECTRONICS AMERICA, INC.,

Defendants.

Case No. 2:22-CV-00422-JRG-RSP

NOTICE REGARDING CLAIM NARROWING RELATING TO PENDING MOTIONS

Defendants Samsung Electronics Co. Ltd., and Samsung Electronics America, Inc., (Collectively “Samsung” or “Defendants”) file this Notice to inform the Court of the following:

(1) Headwater Research LLC (“Headwater”) informed Samsung of its final election of asserted claims. Headwater will only go to trial on claims 1, 8, 9, and 12 of the ’976 Patent.

(2) Certain outstanding motions have arguments directed to multiple patents that have now been dropped by Headwater, whereas the relief being sought in those motions can now be focused on the remaining asserted ’976 patent. Such motions include at least:

a. Samsung’s motion to strike certain opinions of Headwater’s expert Dr. Wesel (D.I. 165). Specifically, with respect to Section B of Samsung’s Opening Brief, the Court can focus on Paragraph B(7) (“U.S. Patent No. 9,143,976”) at pp. 13-14, and disregard Paragraph Nos. B(1)-B(6) and B(8), which pertain to dropped patents. Samsung’s arguments in Sections A and C remain live. Samsung notes that the parties’ Responsive, Reply, and Sur-reply briefing on this issue focuses heavily on the ’976 patent issues

b. Samsung's objections to the Court's Report and Recommendations Regarding Samsung's Motion for Summary Judgment on Notice, Marking, and Pre-suit Damages (D.I. 389)

Dated: August 8, 2024

Respectfully submitted,

By: /s/ Melissa R. Smith

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on August 8, 2024 to all counsel of record who are deemed to have consented to electronic service via the Court’s CM/ECF system per Local Rule CV-5(a)(3).

/s/ Melissa R. Smith